

**UNITED STATES BANKRUPTCY COURT SOUTHERN
DISTRICT OF NEW YORK**

JOHN HAACK

Plaintiff.

V.

**MOTORS LIQUIDATION COMPANY,
*et al.***

Debtors

Chapter 11

Case no. 09-50026 (REG)

Plaintiffs Notice to Withdraw Claim No. 62969

Claim Number 62969 is hereby withdrawn by the Plaintiff, with prejudice.

In this Case's proceedings, the Debtor continues to deny the presence of a vehicle collateral safety defect. In claim 62969, that I submitted over 2.5 years ago, I stated that I would withdraw my claim if GM fixed the safety defect problem with a robust design implementation and issued a notice of safety defect to all vehicle owners affected, and then implemented repairs to all vehicles affected. I repeated this offer in my Objection filed on 7/9/12, docket 11924. I also offered to demonstrate the existence of the defect to the Courts in a test drive demonstration that would be monitored by vested parties of interest and authority. This test drive would be done in a secured, controlled area, to avoid any accidental injury to the public. The Debtor has refused this offer and now wishes to expunge my Claim. Because a number of GM models are affected by this collateral safety defect, the safety of Owners driving these vehicles is at stake. During these Court proceedings, I have taken responsible action to help ensure the safety of these individuals, and I have encouraged the Debtor to do the same. In response, the Debtor has continued to deny the presence of this collateral safety defect in vehicles that they sold to the public.

During a 22 October 2009 interview on PBS, Mr. Steven Rattner, former Chair of the Auto Task Force, made the following public statement about GM and the Defendants:



"This was a company that had burned through \$44 billion of cash in 15 months, had burned through \$20 billion, almost, of cash in the first quarter of 2009, had produced a February 17 viability plan that wasn't viable, was in denial about the magnitude of the problems and what needed to be done."

In an interview conducted by Fortune Magazine and published on 21 October 2009, Mr. Rattner publicly disclosed:

“Everyone knew Detroit’s reputation for insular, slow-moving cultures. Even by that low standard, I was shocked by the stunningly poor management that we found, particularly at GM, where we encountered, among other things, perhaps the weakest finance operation any of us had ever seen in a major company.”

“The cultural deficiencies were equally stunning. At GM’s Renaissance Center headquarters, the top brass were sequestered on the uppermost floor, behind locked and guarded glass doors. Executives housed on that floor had elevator cards that allowed them to descend to their private garage without stopping at any of the intervening floors (no mixing with the drones).”

“Certainly Rick and his team seemed to believe that virtually all of their problems could be laid at the feet of some combination of the financial crisis, oil prices, the yen-dollar exchange rate, and the UAW.”

“Financially, however, GM was actually in worse shape than Chrysler. One simple indicator of that was the amount of capital the government ended up injecting: \$12 billion into Chrysler and \$50 billion into GM, a higher proportion for GM in comparison with its revenue.”

Not always can an individual achieve justice in the Courts of the United States. In this modern age of technology, other choices are available that better serve society.

In 2011, 22-year-old Molly Katchpole, a recent college graduate working two part-time jobs was incredulous, that a bank just bailed out by American taxpayers, would add a new fee to increase its profits while it laid off employees. Molly initiated a campaign on Facebook and Twitter, and took the issue to the Public. The response was overwhelming. Within a month, more than 300,000 people from all 50 states had joined Katchpole’s campaign, Bank of America’s Facebook and Twitter properties were deluged with negative comments. Molly’s action marked a watershed event in the transfer of power from large companies to everyday people. Katchpole’s campaign has inspired dozens of other people to start their own petitions on Change.org, challenging Corporation’s to act responsibly. Within weeks, other major financial institutions like Wells Fargo, Citi, and JPMorgan Chase bowed to public pressure and dropped their debit fee plans.

John Haack, Plaintiff



9/10/12